

**REMARKS**

In the Office Action mailed September 1, 2009, the Examiner rejected claims 1-40. Applicants filed a response to this Office Action on December 1, 2009. Subsequently, in the present Notice of Non-Compliant Amendment mailed on March 16, 2010, the Examiner indicated that the previously filed response was unacceptable due to an amendment of claim 40 that failed to comply with the requirements set forth under 37 C.F.R. §1.121. Specifically, the Examiner stated that that recitation “derived from a set of motion data describing the motion of at least one organ within the region of interest,” which was intended to be deleted from claim 40, was not explicitly struck-through, as required by 37 C.F.R. §1.121.

In response to the Notice of Non-Compliant Amendment, Applicants hereby re-submit the “IN THE CLAIMS” section of the original response, which was timely filed on December 1, 2009. In the present re-submission, the text referenced by the Examiner with regard to claim 40 has been struck-through to affirmatively indicate its deletion. This is the only additional change to the claims, provided herein. As such, Applicants respectfully submit that the claim amendment section of the Response filed on December 1, 2009 is now fully compliant with 37 C.F.R. §1.121.

Application No. 10/723,716  
Response to Notice of Non-Compliant Amendment  
Mailed March 16, 2010

**Conclusion**

In view of the corrected amendments and the remarks set forth above, as well as the remarks set forth in the Response filed on December 1, 2009, Applicants respectfully request reconsideration of the Examiner's rejections and allowance of all pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: April 7, 2010

/John Rariden/

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